

REMARKS

1. The application was filed with Claims 1-44, of which Claims 31-44 have been withdrawn pursuant to a restriction. Claim 12 has been cancelled and new Claim 45 added. Claims 1-11, 13-30 and 45 are pending in the application. Claims 1, 3, 4, 8, 14-25, and 26 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 6,190,371 to Paul Maginot et al. ("Maginot"). Claims 1, 2, 5, 7, 9-11, 13, 23, 29, and 30 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,106,376 to Pekka Mononen et al. ("Mononen"). Claims 1, 6, 11, 12, 16, 25, 27, and 28 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,782,797 to Cyril Schweich, Jr. et al. ("Schweich"). Claims 1, 4, 7, 11, 16, 23, 27, 28 and 30 have been amended. In addition, numerous amendments have been made to the specification. The specification in general was correct as filed, but the published application has many of what appear to be OCR errors in interpreting the application as filed. The amendments to the specification are mostly clerical errors, rather than substantive errors, but they should nevertheless be corrected.

2. Claims 1, 3, 4, 8, 14-25, and 26 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 6,190,371 to Paul Maginot et al. ("Maginot"). Claims 1, 16 and 23 have been amended to recite that the catheter has a first plurality of side apertures and the insert has a second plurality of side apertures. Support for the amendment is found at least in the specification, paragraph [0057] and in Fig. 1. The amendments distinguish over Maginot because Maginot teaches only distal or proximal orifices, not side orifices or apertures. Claims depending from Claims 1, 16, and 23 are allowable because Claims 1, 16 and 23 are allowable. In addition, Claim 4 has been amended to better claim the invention.

3. Claims 1, 2, 5, 7, 9-11, 13, 23, 29, and 30 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,106,376 to Pekka Mononen et al. ("Mononen"). By the same reasoning as used above for Maginot, the amended claims distinguish over Mononen because Mononen does not teach or suggest a catheter with a plurality of side apertures, nor does Mononen teach an insert with a plurality of side apertures. Accordingly, Claims 1 and 23, are allowable, as are claims depending from them, Claims 2, 5, 7, 9-11, 13, 29 and 30. Claims 7, 11 and 30 have also been amended to better claim the invention. New Claim 45 has been added and depends from Claim 16. Support for the amendments is found at least in the figures, and in the specification, paragraphs [0036] and [0038].


4. Claims 1, 6, 11, 12, 16, 25, 27, and 28 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,782,797 to Cyril Schweich, Jr. et al. ("Schweich"). The amendments to Claims 1 and 16 distinguish over Schweich, because Schweich does not teach or suggest an insert with a plurality of side apertures. Dependent claims 6, 11, and 12 are allowable because Claim 1 is allowable. Claim 12 has been cancelled. Claim 23 is not rejected over Schweich, and Claims 25, 27 and 28 are allowable over Schweich because Claim 23 is allowable. Claim 27 has been amended to replace the trademarked term "Teflon" with the proper generic term "fluoropolymer." In addition, Claim 28 has been amended to better claim the invention. Support for the amendment is found at least in Figs. 2-4 and paragraph [0037] and [0038]. Accordingly, the rejections are overcome and the claims are allowable.

5. Applicants believe that the claims are allowable and respectfully request the Examiner to enter this amendment and to allow the claims of the application. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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